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JUL 17 2000

FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20541

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\*not admitted in MD

July 17, 2000

**HAND DELIVERY**

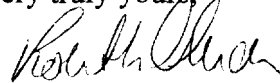
Ms. Magalie Roman Salas  
Secretary  
Federal Communications Commission  
The Portals, TW-A325  
445 Twelfth Street, S.W.  
Washington, D.C. 20554

Dear Ms. Salas:

On behalf of Community Television Educators, there are transmitted herewith an original and four (4) copies of a Petition for Rulemaking, seeking a proceeding looking toward the allotment of non-commercial NTSC Channel 57 to Salt Lake City, Utah, in substitution of existing non-commercial Channel 26.

Should further information be desired in connection with this matter, please communicate with this office.

Very truly yours,



Robert L. Olender  
Counsel for  
Community Television Educators

RLO/mp

Enclosures

Before the  
**Federal Communications Commission**  
Washington, D.C. 20554

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JUL 17 2000

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

**ORIGINAL**

In the Matter of

Amendment of Section 73.606(b)  
TV Table of Allotments  
TV Broadcast Stations  
(Salt Lake City, Utah)

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MM Docket No. \_\_\_\_\_  
RM-

To: Chief, Allocations Branch

**PETITION FOR RULEMAKING**

Community Television Educators ("CTE" or "Petitioner"), by its attorney, and pursuant to Section 1.401 of the Commission's rules and *Public Notice*, DA 99-2605 (released November 22, 1999) ("Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations") ("*Window Filing Notice*"),<sup>1</sup> hereby requests that the Commission institute a rulemaking proceeding for the purpose of amending the TV Table of Allotments to substitute non-commercial Channel 57 for the existing non-commercial Channel 26 allotment at Salt Lake City, Utah. Accordingly, Petitioner proposes to amend Section 73.606(b) of the Commission's rules as follows:

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<sup>1</sup> On March 9, 2000, the Commission extended the window filing period until July 15, 2000. See *Public Notice*, 15 FCC Rcd 4974 (2000) ("Window Filing Opportunity For Certain Pending Applications and Allotment Petitions For New Analog TV Stations Extended to July 15, 2000").

	<u>Channel No.</u>	
<u>City</u>	<u>Present</u>	<u>Proposed</u>
Salt Lake City, Utah	*26	*57

In support of this request, the following is stated:

CTE currently has an application pending for a new non-commercial NTSC television station to operate on non-commercial Channel 26 at Salt Lake City, Utah (File No. BPET-970331SE). As demonstrated in the attached engineering statement of Keith J. Leitch, the proposed non-commercial Channel 26 operation at Salt Lake City is short-spaced to Station KJZZ-DT, Salt Lake City, Utah. *See Engineering Statement.*

As a result, pursuant to the *Window Filing Notice*, Petitioner requests that the FCC amend the TV Table of Allotments by substituting non-commercial Channel 57 in lieu of non-commercial Channel 26 at Salt Lake City. Petitioner's transmitter site for the proposed allotment at Salt Lake City would be fully-spaced to all other NTSC and DTV stations or allotments.<sup>2</sup> Also, as demonstrated in Mr. Leitch's attached engineering statement, from the transmitter site proposed in CTE's pending application, the proposed non-commercial Channel 57 NTSC operation at Salt Lake City would not cause harmful interference to any other NTSC station or digital station/allotment. *See Engineering Statement, Exhibit RM-1 and RM-2.*

In light of the above, Petitioner requests that the Commission amend the TV Table of Allotments to substitute non-commercial Channel 57 for non-commercial Channel 26 at Salt Lake City, Utah. In the event non-commercial Channel 57 is allotted to Salt Lake City, Petitioner

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<sup>2</sup> The reference coordinates for the proposed allotment are North Latitude: 40° 45' 23"; West Longitude: 111° 53' 26".

will amend its pending application in accordance with the Report and Order issued in this proceeding to specify the new channel, and modify its technical proposal as necessary so that the proposed non-commercial Channel 57 NTSC facility will not cause harmful interference to any other television station. In the event its application is ultimately granted, CTE will promptly construct and operate the new facility.

**WHEREFORE**, in light of the foregoing, Petitioner respectfully requests that the Commission GRANT this petition for rulemaking, AMEND the TV Table of Allotments, and SUBSTITUTE non-commercial Channel 57 for the existing non-commercial Channel 27 allotment at Salt Lake City, Utah.

Respectfully submitted,

**COMMUNITY TELEVISION EDUCATORS**

July 17, 2000

By: \_\_\_\_\_



Robert L. Olender  
Its Attorney

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11645.PET-RM/SALTLAKE.071700

**WES, INC.**  
5925 Cromo Dr.  
El Paso, TX 79912

505-589-2224

**ENGINEERING EXHIBIT  
PETITION TO MODIFY THE TABLE OF  
ALLOTMENTS TO SPECIFY A  
DISPLACEMENT CHANNEL TO  
SUBSTITUTE FOR SALT LAKE CITY  
CHANNEL 26**

July 16, 2000

**ENGINEERING STATEMENT**

**Wes, Inc.**

**DECLARATION**

I, Keith J. Leitch declare and state that I am a Certified Broadcast Engineer, by the Society of Broadcast Engineers, and my qualifications are a matter of record with the Federal Communications Commission, and that I am an engineer in the firm of Wes, Inc., and that the firm has been retained to prepare an engineering statement on behalf of Community Television Educators.

All facts contained herein are true to my knowledge except where stated to be on information or belief, and as to those facts, I believe them to be true. All Exhibits were prepared by me or under my supervision. I declare under penalty of perjury that the foregoing is true and correct.

  
Keith J. Leitch

Executed on the 16th day of July, 2000

**Narrative Statement**

**I. GENERAL**

This engineering report has been prepared on behalf Community Television Educators in support of its request for a displacement channel (Channel 57) for its pending application for Channel 26 in Salt Lake City, UT (BPET970331SE)

**II. ENGINEERING DISCUSSION**

The applicant originally applied for a construction permit on channel 26 in Salt Lake City, UT. The applicant is precluded from going on Channel 26 due to interference to KJZZ-DT Salt Lake City Digital Channel 27, 46.8 kilometers away. The required distance separation for an adjacent digital to NTSC station is either closer than 12 kilometers or farther than 106 kilometers. There is an NTSC Channel 30 in Ogden, UT (KUWB) at the same site as KJZZ that precludes the applicant from co-locating with KJZZ Digital Channel 27. The applicant must therefore move to channel 57 in order to not cause interference to KJZZ-DT.

The applicant proposes the same site as the Commission assigned for the city co-ordinates for Salt Lake City, UT:

North Latitude: 40° 45' 23"

West Longitude: 111° 53' 26"

It is proposed to amend Section 73.606(b) of the Commission's rules, NTSC Table of Allotments, to allot Channel 57 (728-734 MHz) for the NTSC television operation of Community Television Educators as demonstrated below. The proposed Channel 57 NTSC operation at Salt Lake City will not cause any harmful interference to any other analog NTSC or DTV station or allotments exceeding the Commission's guidelines. Salt Lake City Channel 57 would provide additional service to a population of 1,428,522 people if operated from an available site as a maximum facility. The proposed NTSC Channel 57 has site availability.

### Analog NTSC TV Allocation Situation

The attached Exhibit RM-2 demonstrates that Channel 57 **is free of any short spacing to any other NTSC stations.**

### Class A Situation

A complete study of all Class A LPTV stations has been conducted. Channel 57 will not cause any interference to any Class A stations.

### DTV Allocation Situation

The attached Exhibit RM-1 lists all digital allotments that must be considered within 429 kilometers of the proposed rule making. There are none.

## **III. Summary**

The applicant must change channel from Channel 26 to channel 57 in order to avoid interference to digital television. On channel 57 it will not cause any interference to any NTSC stations or to any Digital stations.



**Exhibit RM-1**  
**Salt Lake City**

**July 16, 2000**  
**by WES, Inc. Broadcast Consultants**

Spacing study to Digital TV on Salt Lake's newly proposed Channel 57

Study Location:  
Salt Lake City, UT Channel 57

NTSC Study Station, Transmitter Coordinates: 40-45-23 N 111-53-26 W

Study distance: 429 km

\*\*\*NTSC TO DTV STUDY RESULTS\*\*\*

City of License	ST Chan	Bearing	Distance	Req. Dist	Diff.
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Station is in the clear!

**Exhibit RM-2  
Salt Lake City**

**July 16, 2000  
by WES, Inc. Broadcast Consultants**

Spacing study to NTSC TV on Salt Lake's newly proposed Channel 57

\*\*\*\*\* TV CHANNEL SPACING STUDY \*\*\*\*\*

Job title: Salt Lake

Latitude: 40 45 23

Channel: 57

Longitude: 111 53 26

Database file name: tv000117.edx

CH	Call	Record No.	City	ST	Z	STS	Bear.	Dist.	Reqd. Dist.	Result
49o	ALLOTM	11411	OGDEN	UT	2	A	352.6	52.3	31.4	20.9

\*\*\*\*\* End of channel 57 study \*\*\*\*\*